

1909-022
Lee Co.

Chancery Causes: Cook & Orr] vs. John R. Horton

Cook, Orr

CA-Debt
T-Property

To the Honorable H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Your petitioners, A. W. Couk and W. E. Orr, late merchants and partners under the firm name and style of Couk & Orr, would respectfully represent and show unto your honor that on the 1st day of December, 1906, they obtained before E. A. Robinett, a Justice of said County, a judgment against John R. Horton for Fifteen Dollars (\$15.00) with interest thereon from the 22nd day of December, 1894, until paid, and One Dollar cost, to which has been added one Dollar and Thirteen cents (\$1.13) clerk's cost, no part of which judgment has been paid.

That at the _____ Rules 1908 Sallie Parkey and others filed their bill in this Honorable Court against said John R. Horton and others, the object of which suit is to partition or sell a certain tract or parcel of land lying and being ⁱⁿ said County of Lee on Wallens Creek and on the North side of Powells Mountain, containing _____ Acres more or less, it being a portion of the tract of land owned by H. N. Horton, deceased, in his life-time and which descended to his widow and heirs at law at his death, one of whom ^{is} said John R. Horton, and to distribute the proceeds of the sale of the said land among the said heirs and widow, according to their respective interests therein; that the said judgment was duly docketed in the judgment lien docket in the Clerk's of this County on the 3rd day of May, 1906, ^Ythus became a lien upon the said John R. Horton's interest in said tract of land. A copy of said judgment and the docketing of the same is herewith filed as part hereof, marked 3.

Now the object and prayer of your petitioners is that the amount of their said judgments be decreed to be paid out of the proceeds of the sale of said land and out of the share of the said John R. Horton in said proceeds, if the same is sold, but if the tract should be petitioned among said heirs that their said judgment be decreed to be a lien on said John R. Horton's interest in

said land and enforced against the same, and for general relief.

That the said John R. Horton be made a party defendant to this petition and answer the same, but not under oath, answer under oath being waived.

And your petitioners will ever pray &c.

James W. Orr, for Petitioners.

Cauk & Orr

vs Petition

John R. Norton

Filed by leave of
Court Dec 15, 1908.

H. C. D. Ewing,

Clk.

1909 2nd Jan. Rules
Spa executed & D.

" 1st Feb. Rules
D. N. confirmed &
cause set for hearing.

Name of Attorney.	In what court or before what Justice judgment was obtained.	Names of Parties.	Residence.	Amount of Judgment.	From what date interest begins.	Costs.	Credits to which Judgment is subjected, if any, and the date.	When Docketed.
E. A. Robnett, a Justice of the Peace.		Cook & Orr vs. John R. Horton		\$1500	Dec. 22, 1894	\$213		May 3, 1906

VIRGINIA==In Lee County Court Clerk's Office:

I, H. C. T. EWING, Clerk of said Court, do certify that the foregoing is a true copy of a Judgment in favor of Cook & Orr against John R. Horton, as appears of record on Judgment Lien Docket No. 4 page 101 of Lee County ^{Circuit} Court, and that the same is properly indexed in the name of John R. Horton said defendant.

Given under my hand this the 30 day of December, 1908

Teste:

H. C. T. Ewing, Clerk.

Mr. John R. Horton,

Whereas, the undersigned on the first day of December, 1906, before E. A. Robinett a Justice of the Peace for Lee County, Virginia, obtained a judgment against you for the sum of \$15.00 with interest thereon from the 22nd day of December, 1894 until paid, and \$1.00 cost before said Justice, to which has been added \$1.13 clerk's cost, and which judgment remains unpaid. You will please take notice, that unless the amount of the said judgment and the costs are paid within sixty days from the service on you of this notice, we will file a bill in Chancery in the Circuit Court of the said County, to enforce the lien of the said judgment and cost against your undivided interest in a certain tract or parcel of land lying and being in Lee County, Virginia, on Wallen's Creek and on the North side of Powell's Mountain, containing _____ acres, it being a portion of the tract of land owned by your father, H. N. Horton deceased, in his life time, and belonged to him at the time of his death, and which descended to you, and the other heirs of the said H. N. Horton, deceased, subject to the dower of the ~~said~~ ^{of said H. N. Horton} widow therein, and against any other real estate owned by you in the said County.

Given under my hand this the 7th day of August, 1906.

Bank & Orr, Late
By Orr & Tall, attys.
Merchants,

Court & Orr
vs. } Notice
John R. Horton,

Executed on the 13 day
of August 1906 by
Delivering a true
copy of the within
Notice to John R. Horton

D. H. Mahan D. S.
for Paul Ball D. S. C.

Filed Aug. 16, 1906-

A. B. P. Ewing,
Clerk.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

John R. Horton

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the *3rd* Monday in *January*, 190*9*, to answer a bill in chancery exhibited against *John R. Horton*

against *John R. Horton*, *filed by A. H. Cook & W. E. Orr, late merchants and partners under the firm name and style of Cook & Orr, in the Chancery cause of Sallie Parker, et al, Plaintiffs, vs. J. B. Horton, et al, Defendants.*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *28th* day of *Dec*, 190*8*, and 1*33rd* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

, Clerk

Cook & Orr

VS

SUBPOENA
IN
CHANCERY

John R. Horton

Jas. W. Orr, p. q.

To 2nd Jan'y Rules
All Circuit Court

1909
Executed By returning a
true copy to John R
Horton this Jan 2
1909

W. E. Glass, D. J.
Jas W J Tucker & Co